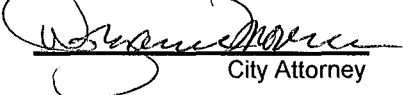


16 SEP 22 PM 3:05

Approved as to Form and Legality

  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 86351 C.M.S.

Introduced by Councilmember Kaplan, Councilmember Kalb &  
Councilmember Guillen

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### RESOLUTION PROCLAIMING THE CITY OF OAKLAND'S SUPPORT FOR THE STANDING ROCK SIOUX TRIBE'S OPPOSITION TO THE CONSTRUCTION OF THE DAKOTA ACCESS PIPELINE

**WHEREAS**, the proposed Dakota Access Pipeline (DAPL) would carry as many as 570,000 barrels of fracked crude oil per day for more than 1,100 miles from the Bakken oil fields of North Dakota to Illinois, passing over sensitive landscapes including treaty protected land containing recognized cultural resources and across or under 209 rivers, creeks, and tributaries including the pristine Missouri River, which provides drinking water and irrigates agricultural land in communities across the Midwest; and

**WHEREAS**, the DAPL would also run through ancestral lands and waters reserved for the traditional use of the Standing Rock Sioux Tribe by the Treaty of Ft. Laramie, including burial grounds and gravesites, and other sacred sites of cultural, religious, and historical significance; and

**WHEREAS**, Indian Treaties such as the Treaty of Ft. Laramie are recognized by the U.S. Constitution as "the supreme law of the land," and require consultation and cooperation by the United States with its Indian Treaty partner before any federal action is taken that affects Treaty lands, territories, waters or other resources; and

**WHEREAS**, the American Indian Religious Freedom Act of 1978 affirms the need to "protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions," particularly in American Indian sacred places; and

**WHEREAS**, the City of Oakland has recognized the month of November as "National Native American Heritage Month" celebrating the heritages and cultures of Native Americans and acknowledge the contributions of the Native American people to the United States of America; and

**WHEREAS**, Articles, 11, 12, and 25 of the United Nations Declaration on the Rights of Indigenous People (UNDRIP), as endorsed by the United States in 2010, affirms that indigenous peoples like the Standing Rock Sioux Tribe possess the right to maintain and protect their culture, religion, practices, and relationship with their "traditionally owned or otherwise occupied and used lands, territories [and] waters"; and

**WHEREAS**, the U.S. Army Corps of Engineers failed to consult with or obtain the free, prior and informed consent of the Standing Rock Sioux Tribe as required by the Treaty of Fort Laramie, Executive Order 13175, the UNDRIP Article 10, and other federal and international laws, before issuing a "Mitigated Finding of No Significant Impact" that would result in an easement for horizontal directional drilling for the DAPL; and

**WHEREAS**, the City Councils of Portland, Oregon; St. Paul and Minneapolis, Minnesota; Seattle, Washington; Senator Bernie Sanders; the California Nurses Association; Oakland's Intertribal Friendship House; affiliated tribes of Northwest Indians comprised of 59 Indian Nations in the Northwest, and nearly 200 Indian Nations are among the governmental bodies, elected official, tribes and organizations that have taken formal action to support the Standing Rock Sioux Tribe and oppose the DAPL; now, therefore be it

**RESOLVED:** That the City of Oakland stands in support of the Standing Rock Sioux Tribe's opposition to construction of the Dakota Access Pipeline (DAPL) across the Tribe's ancestral lands, waters and sacred site; and be it

**FURTHER RESOLVED:** That the City of Oakland should communicate its support of the Standing Rock Sioux Tribe's opposition to construction of the Dakota Access Pipeline to the Federal Government and representatives of the Standing Rock Sioux Tribe.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 20 2015

**PASSED BY THE FOLLOWING VOTE:**

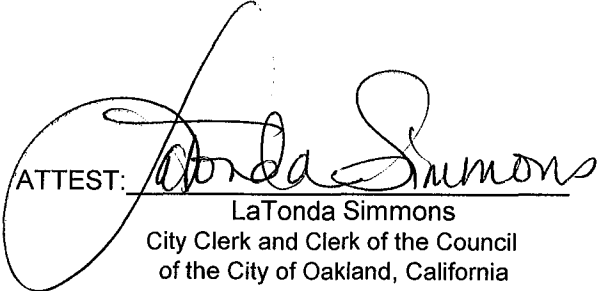
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, ~~REID~~, AND PRESIDENT GIBSON MCELHANEY - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California